IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

Bail Appl..No. 3811 of 2007()

CRLMC.1787/2007 of DISTRICT COURT, THRISSUR
CRIME NO.70/2007 OF WADAKKANCHERY POLICE STATION

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PETITIONER : ACCUSED

PRADEEP, S/O.THANKA
KOTTEKKATTUPARAMBIL HOUSE
CHEVVOOR DESOM AND VILLAGE
THRISSUR TALUK

BY ADV. SRI.K.B.MOHANDAS

RESPONDENTS: STATE & COMPLAINANT

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.3811 of 2007

Dated this the 25th day of June, 2007

ORDER

Application for regular bail. The petitioner faces allegations in a crime registered under Section 302 I.P.C. The petitioner had allegedly attacked and caused death of a woman, a divorcee, with whom he was allegedly in love. It is alleged that even before the incident, he had written to the girl that he would cause death to her and her father. On 19.02.2007 at about 6.10 p.m, he allegedly implemented his threat and caused the death of the girl in an open public place. He surrendered on 06.03.2007 and continues in custody from that date.

2. It is unnecessary to refer to the contentions and the facts except for the purpose of deciding on the conditions to be imposed. Admittedly a period of 3 months has elapsed from the date of his remand and the petitioner is entitled for bail by default, the charge sheet having not been filed. The learned Public Prosecutor only submits that considering the antecedents and threat hurled by him against the father of the deceased girl, appropriate and strict conditions may be imposed.

3. I find merit in the prayer for grant of bail and also in the prayer of the learned Public Prosecutor for imposition of appropriate conditions.

4. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall not enter the Sessions Division of Trichur until further orders except for the purpose of complying with condition No.(iii) below;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 1 p.m on all Mondays until further orders;

iv) The petitioner shall within 7 days of his release from custody furnish to the Investigating Officer the place of his residence outside district of Trichur and shall keep the Investigating Officer previously informed of any change in residence thereafter.

(R.BASANT, JUDGE)

rtr/-